ANCIENT BOUNDARIES AND THE ECOLOGY OF STONE

HOROS

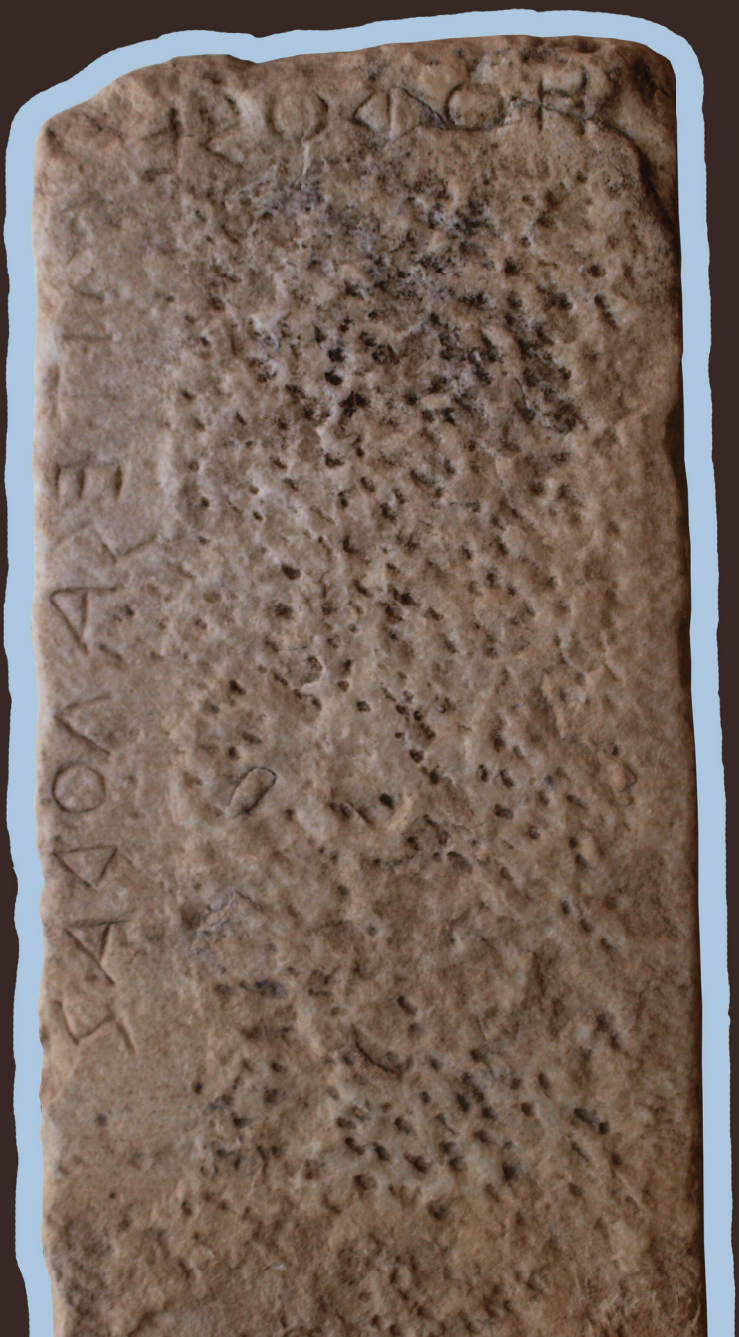

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Fig. 3. ΗΟΡΟΣ ΤΕΣ ΟΔΟ ΤΕΣ ΕΛΕΥΣΙΝΑΔΕ *'horos* of the road to Eleusina' (end of the 5th c BC). Originally inscribed with HOROS TES ODO TES IERAS (520 BC). IG I³ 1096 [I 127] Photograph by M. Goutsourela, 2013. Discovered in the Eridanos river bed. Rights belong to the Kerameikos Museum, Athens. © Hellenic Ministry of Culture and Sports/Hellenic Organization of Cultural Resources Development (H.O.C.R.E.D.).

3. Breaking the Law

> ὁ ὅρος —*boundary, landmark*; the regions separated by the *boundary* usu. in gen. […] also in pl., *bounds, boundaries* […] *boundary-stone* marking the limits of temple-lands.[1]

Lithography works not only on the principle that oil and water repel one another but also on the principle that the stone itself has an affinity with both these antithetical substances. The stone, as the art's chance discoverer describes it, not only has

> an especial property of uniting with fats,—sucking them in and holding them,—but it has, also, the same propensity for taking all fluids that repel fats. Indeed, its surface unites so thoroughly with many of the latter that it forms a chemical union with them.[2]

Lithography therefore is founded upon the affinity of the stone to bring these antithetical substances together into a mutual relation of chemical repulsion.

> Lithography is founded on mutual and chemical affinities, which hitherto had never been applied to the art of engraving. The dislike which water has for all fat bodies, and the affinity which compact calcareous stones have both for water and greasy substances, are the bases on which rests this new and highly interesting discovery.[3]

However, the two substances, oil and water, have no need of the stone in manifesting their mutual repulsion for one another. In fact, it is only by means of their mutual affinity with stone that their reciprocal hostility is made coherent in the coagulation of script, the printed word. Although this affinity for bringing enmity into relief might not

1 LS: 1255–1256.
2 Senefelder (1911) 97.
3 Colonel (1821) 1.

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be the essence of the philosopher's stone sought after in alchemy, it has, however, led to technologies that have proved their weight in gold.

> With lithography the technique of reproduction reached an essentially new stage. This much more direct process was distinguished by the tracing of the design on a stone rather than its incision on a block of wood or its etching on a copperplate and permitted graphic art for the first time to put its products on the market, not only in large numbers as hitherto, but also in daily changing forms. Lithography enabled graphic art to illustrate everyday life, and it began to keep pace with printing. But only a few decades after its invention, lithography was surpassed by photography.[4]

It is not without irony that when the art of printing aspired to mass production, it did so in so-called 'off-set lithography,' by substituting stone with more refined metal. While in the further 'advanced' science of cybernetics—for the production of circuit boards—another component was required—light: *photo*lithography. Do these technological advances shed a certain light on the stone? Even, or especially, given that the stone is absent or eclipsed the moment art manifests its potential to be reproduced, to be associated with a *logos* that transforms it into an ever-increasing demand to extend, proliferate, develop? Or do such material advances in human technologies *not* reflect the original affinities humans recognised (*read*) in the stone?

Horos is a word, but it does not, for all that, cease to be stone. The word itself refuses its abstraction from the material dilemma of the boundary, or, to be more precise, it raises the problem of the difference between word and material by always remaining between them and bringing them into distinction. Not only like, but exactly as the stone of lithography, the *horos* brings both sides into a relation, providing a contrast, if not an enmity. Here, we are confronted with the problem of the boundary. *Horos* is a fence-sitter, but this means that it presents us with a duplicitous problem, at once lexical and spatial. The *horos* is the stone which, according to Deuteronomy, 'men of old placed as a boundary upon the land.'[5] It is a boundary, marked

4 Benjamin (2002b) 102.

5 *Deut*. 19:14. This and all subsequent translations are from the *King James Bible* (KJ), unless referenced to the New International Version (NIV).

and marking. Can we distinguish that which marks the boundary from the boundary itself? Does either side of the boundary take its peculiarities from the boundary, or do their differences generate the boundary? What comes first, spatial opposition or the position in between? If the stone was 'placed,' then we could, along Hegelian lines, conceptualise this landmark as the point that negates space, and yet in the *horos* the point is confused with the line, as much as the word is with the stone.

For information about what archaeologists believe to be the 'primary'—the temporally first—use of the *horoi* as boundary-stones one is compelled to abandon the dubious connotations of lexicography and return to the obscure sphere of the sacred. Is this because first stones are always laid to the accompaniment of rites and rituals, the material remainder of cultic liturgy? Or because where further historical proofs are lacking, cultic worship, concerning which we now know so little, can be called upon to fill the void? Or are these past proceedings and present (lapse of) knowledge two sides of the same coin?

Upon approaching the *horos*, one is immediately confronted by the task of the translator. That one is destined to fail to pin down the word to any singular meaning reinvests this intransigent term with the peculiarity of an implicit prohibition: the prohibition against its removal, against a literal translation of the inscribed boundary. Even today, in the museums of Athens, the prohibition against the removal of the *horoi* holds, since we are unable to pick up this stone, to nurse it, and feel its grain upon our palms, to gauge its worth whether in the texts of Plato and Homer or in the archaeological museum ('hands off'). That is to say, with Walter Benjamin, any attempt at translating this term along with the inevitable failure to translate it fully, cannot help but reveal its essential nature: the proscription of translation itself, the prohibition of its removal.[6] Refusing movement, and in spite of the prescriptions of the boundary, like the Ka'aba, the *horos* offers itself to revolutions of thought which may circle near or far but never succeed in penetrating the profundity of stone.[7] Is this what makes a stone sacred?

6 Benjamin (2002a) 254.
7 Addas (1993) 213.

Sacred Boundaries

There is ample evidence for the significance of boundary-stones in the world's ancient religions. The removal of boundary-stones was prohibited and considered a serious crime according to Babylonian, Egyptian, Greek and Roman law.[8] Terminus was a Roman god (believed to be of Sabine origin) that could be said to deify the function of *horos*. A stone or altar of Terminus was located in the Temple of Jupiter Optimus Maximus on Rome's Capitoline Hill. Because of a belief that this stone had to be exposed to the sky, there was a small hole in the ceiling directly above it.[9] When the augurs took the auspices to discover whether the god or goddess of each altar was content for it to be moved, Terminus refused permission. The stone was therefore included within the Capitoline Temple, and its immovability was regarded as a good omen for the permanence of the city's boundaries.[10] Diocletian's decision in 303 AD to initiate his persecution of Christians on 23 February, a propitious day for the same god, has been seen as an attempt at enlisting Terminus 'to put a limit to the progress of Christianity.'[11]

In the Quaranic tradition, *Barzakh* is the limit between the realm of the living and that of the dead and is a phase of resurrection. It is 'the very thing that makes the activity of defining possible,' in which 'the separation between the things (defining) and the separating factor (that which defines) become manifest as one entity.[12] The word *Barzakh* is used by Ibn al-'Arabî in his translations and interpretations of Aristotelian philosophy (see Chapter Four).[13] Meanwhile, the Hindu Bhaga is also worth looking at, if only because of his linguistic links with the Arabic word for boundary, *Barzakh.* In the *Rigveda*, Bhaga is the god who supervises the distribution of goods and destiny to each man corresponding to his merits. The word appears to be cognate with *Bhagavan* and *Bhagya*, terms used in several Indian languages to refer to God and destiny respectively. It is worth remembering that Pennick

8 Mills (1997) Boundary Stones: 122.
9 Dionysius of Halicarnassus, *Roman Antiquities* 2.74.2–5. 3.69.3–6.
10 Ovid, Fasti 2.639–684.
11 Liebeschuetz (1979) 247.
12 Bashier (2004) 87.
13 See Bashir (2004) for a thorough study on the concept of *Barzakh* in the works of the philosopher Ibn al-'Arabî.

also described the esoteric meaning of the Hebraic letter Cheth, 'barrier,' the earlier form of the Greek letter *eta* (H) as 'a letter of discrimination, the separation of things of worth from the worthless,' as well as having the esoteric meaning 'distribution, the primary function of energy.'[14] In these senses it seems that the concept of boundary has an ingrained relation to the economic, that is to the distribution and organisation of goods, as well as an economy of fate, that is the distribution of human destinies.

The earliest biblical reference to a boundary pillar in *Genesis*, 'and Jacob took a stone, and set it up for a pillar,' reflects a boundary covenant between Abraham and Laban at Mizpah, where neither party was to pass beyond the pillar (Heb. מצבה *matstsebah*) for purposes of doing harm to their neighbour.[15]

> And Laban said to Jacob, Behold this heap, and behold this pillar, which I have cast betwixt me and thee;
>
> this heap be witness, and this pillar be witness, that I will not pass over this heap to thee, and that thou shalt not pass over this heap and this pillar unto me, for harm.[16]

Many prohibitions against removing stones are found in the Old Testament.[17] Is this because the boundary-stone marks the site where the sacred coincides with law? Is it where awe and reverence unite in the form of a prohibition proscribing the former regime of power, and inscribing the deference due to the present regime, those who planted the pillar and enforced the law? Power is drawn not from a single actor but from an association including objects, specifically objects attributed with a steadfast authority. As Harman points out, the triumph of the Spaniards over the rituals of the Aztecs was 'not through the power of nature liberated from fetish,' but by an entire legion of authorities wearing the fetishistic garb of the Catholic Church and state.[18] Power requires the abstraction of certain objects from their original setting in order to invest them with a transcendent symbolism used to articulate

14 Pennick (1992) 17.
15 *Gen* 31:45–52.
16 Ibid.
17 *Deut*.19:14, 27:17, *Prov*.22:28, 23:10, *Job* 24:2, *Hos*.5:10.
18 Harman (2009) 21.

a very particular regime. In this sense Weber's statement that 'not every stone can serve as a fetish, a source of magical power' holds only within regimes that require bolstering in order to justify their reign and make use of only certain objects, a limited pick of earthly goods.[19] Other structures of belief, where goods are held in common, may well maintain that every stone is a source of magical power. Every object has the potentiality for resistance: 'a pebble can destroy an empire if the emperor chokes at dinner.'[20]

In Deuteronomy, the boundary-stone ensures the inheritance of land, marking ownership spanning over generations. However, it is also an appropriation of land from its earlier inhabitants.

> Thou shalt not remove thy neighbor's landmark, which they of old time have set in thine inheritance, which thou shalt inherit in the land that the Lord thy God giveth thee to possess it.[21]

This stone is erected within a chapter dedicated to dealing with the colonisation of territory and the destruction of its people:

> When the Lord your God has destroyed the nations whose land he is giving you, and when you have driven them out and settled in their towns and houses [...] Show no pity. You must purge from Israel the guilt of shedding innocent blood, so that it may go well with you.[22]

The boundary-stones are supposed to provide protection against the threat of those who were colonised, by acting as an objective proof of the new regime's authority over the land. Just as in the example with the Spaniards, here the previous chapter prohibited the engagement in the previous nation's occult practices, thereby establishing new systems of religious and secular power of the invaded territory.

> Let no one be found among you who sacrifices their son or daughter in the fire, who practices divination or sorcery, interprets omens, engages in witchcraft, or casts spells, or who is a medium or spiritist or who consults the dead. Anyone who does these things is detestable to the Lord; because of these same detestable practices the Lord your God will drive out those nations before you.[23]

19 Weber (1978) 400.
20 Harman (2009) 21.
21 *Deut* 19:14 KJ.
22 *Deut* 19:1 and 13 NIV.
23 *Deut*. 18:10–13 NIV.

Is this boundary-stone a type of signature marking the covenant protecting the colonisers from divine retribution? It could be said to act in the same way as the contemporary flag planted in the ground by the invading force. A symbol of the regime's power thrust into the earth and, like an injection, spreads the virus of colonisation down and through the filaments of the soil, causing contagion throughout the land. The invasion of territory requires these symbolic attributes in order to condone the violent acts conducted by otherwise innocent people, especially the gesture to a higher authority. The gesture to a heteronomous authority, in this case of both god and ancestors, reinforces the otherwise unjustifiable act of invasion and, potentially, genocide.

The Greek translation of *Deuteronomy* is more specific than the King James or New International version. Here it was the 'fathers' (*pateres*), not just those 'of old' or the 'predecessors' who set up the boundaries. The Septuagint reads:

> οὐ μετακινήσεις ὅρια τοῦ πλησίον σου ἃ ἔστησαν οἱ πατέρες σου ἐν τῇ κληρονομίᾳ σου ᾗ κατεκληρονομήθης ἐν τῇ γῇ ᾗ κύριος ὁ θεός σου δίδωσίν σοι ἐν κλήρῳ.[24]

The new translation provides a translation closer to the original Hebrew, here the actors are 'men': 'You shall not remove your neighbor's landmark, which the men of old have set, in your inheritance which you will inherit in the land that the Lord your God is giving you to possess.' The Greek translation, commissioned during the Greco-Roman period of proprietorship and patriarchy, slips toward the name of the Father. The Hebrew text, however, has ראשון (*ri'shown*) which might be loosely translated as 'ancestors,' and the meaning tends more toward the temporal, 'men of former times,' 'earlier men.' These are men whose authority is not to be questioned. Again, in *Deuteronomy*, ἐπικατάρατος ὁ μετατιθεὶς ὅρια τοῦ πλησίον, 'Cursed be he that removeth his neighbour's landmark[s].'[25] Here, this prohibition follows upon another prohibition, that against graven images. The same synthesis appears again in *Proverbs*, μὴ μέταιρε ὅρια αἰώνια ἃ ἔθεντο οἱ πατέρες σου, 'remove not the ancient landmark[s], which thy fathers have set.'[26]

24 *Deut*. 19:14.
25 *Deut*. 27:17 KJ (the translation omitted the plural of *horia*).
26 *Prov*. 22:28 KJ (again the plural has been omitted).

The term used in *Deuteronomy* for the 'boundary-stone,' as it appears in later references, is different to that in *Genesis*. There it was a 'pillar' (מצבה *matstsebah*) and a 'heap' (גל *gal*). The term used in *Deuteronomy* is גבול *gĕbuwl*, translated by the Greek *horion*, while in the example from *Proverbs* it is in the plural form *horia*, the neuter noun of the masculine *horos*, and it continues to be translated thus throughout the Septuagint. The Hebrew (here given without diacritics) comprises a similar ambiguity to the Greek; the noun has multiple meanings ranging from 'boundary,' 'limit' and 'line' to 'land,' 'area' and 'territory.' The primitive root of the verb גבל means at once 'to bound' and 'to border.' And the added causative verbal stem, the Hiphil stem, where the effect caused is indirect or mediated, means 'to cause to set bounds,' generating the alternative translations of 'wall' and 'territory.'[27] Henceforth, the term encapsulates the coincidence between the boundary and the mark of the boundary, that is, the act of separating and the separator itself, much like the *Barzakh*, in the Arabic tradition and the *horos* in the Greek. The *horoi* enforce an atemporal (*aiōnia*), even eternal, regime (much like the phrase, 'the sun never sets on the British Empire.' The mark may have been placed by the forefathers, but the *horoi*, the stones that mark the invasion, themselves return to God himself, his eternity and his timelessness.

The text itself would suggest that it is not the boundary that is at risk of being transgressed as much as it is the mark that may go unheeded or be removed. But if it is a matter of recognising landmarks, why the need to stress the prohibition in a text? Is this not the task the boundary-stone itself performs? Presumably, the stone itself, the 'landmark,' is not prohibitive enough. If there is any prohibition here it adheres to the stone itself, the place of the stone as such, and the prohibition is directed not against crossing the boundary but against removing the stone. Or is the prohibition addressing itself to the people of the book, *as writing*, the mnemotechnique which assumes that there has or will have been a loss or lapse of memory? Perhaps the *horos* never uttered a prohibition at all but rather remained brute stone, the very material and boundary between the two realms of the sacred and the profane, between God and human laws and customs. Or, more essentially, the placement that is the one-time removal of the rock, is a symbol for the land itself

27 Waltke (1990) 433ff.

that has been appropriated. If this is what it is—a symbol of earthly domination—it can hardly be anything more than symbolic. In the era of the Anthropocene, such acts appear all too futile when we see daily how the devastation of the soil leads to the devastation of the people living upon it. What a futile attempt to appropriate the unappropriable. The people of the book, it would appear, are those who have forgotten to listen to the stone, to live with the land, to read in it the necessity to remain within earth's limits.

But this condemnation for a lack of memory is not a question of religion. It is a question of boundaries, not only of religio-ethical boundaries, nor even national boundaries, but more terrestrial boundaries. Today it is a political question, but it should be framed as an existential one. This is the question of how we live upon the land, not who owns it or has rights to it, but what are the relationships we should be forging and reforming with the earth, the plants and the variety of species (humans included) that the earth supports in order to refigure what it is the human being as a species does and gives to the land they are fed by.

No-Man's Land

The *horos* represented a rule of division and distinction which guided definitions within the space of knowledge in the ancient city and acted as an organising factor or principle common to a wide variety of cultural fields, from the rhetorical and martial arts to law, economics and philosophy. The *horos* and its various manifestations in other religions and languages, and found in foreign soils, is not wholly political. This is not because, in Athens at least, it precedes the institution of the *polis*, the city-state (and remember we have nothing outside of the city to confirm this) but because it generates a fundamental concept of division within the many different fields of knowledge. In economics it simultaneously draws up proprietal boundaries and calls the idea of possession into question, by the fact that a symbol (the stone itself) is required to enforce it. It would seem to suggest that there are limits to possession while implying that such possession is itself the limit between the human and the nonhuman (whatever can be taken possession of). The boundary comes in between, as much a rupture into our relationship with the land, which may have been assumed

immanent or inherent before the stone separated us, and representing a covenant between humans and the things that can be disposed of because there is an unearthly principle (be this god, law or capital) that separates us from everything else.

Does this mean the boundary-stone is neutral ground, the intrepid security between borders? That is to say, is it inhuman in principle but also not natural? Is this the site of escalating tension, directed first and foremost at maintaining the line of division between those on either side of the barrier? Or is the stone a device deployed within this location to protect this spatial separation? Does it prompt the notion of the boundary that confronts us to choose sides? Did the *horos* function for the Athenians as an exclusionary principle, dividing their world into friends and enemies? The mere fact that the stone prompts these questions should already indicate that we are no longer on safe ground.

The ground is not secure both because we have found ourselves in no-man's land and because we are caught up in the aporetic structure of the letter of the law. The stone placed after the appropriation of the land raises the problem of any logical method in the law. The word *nomos*, 'law' or 'custom,' is related to the verb νέμομαι, which means 'to divide out,' 'distribute.' This aspect of division comes to signify possession—things that are divided up into different shares and titles, hence the later meaning 'to own,' 'manage.' The *horos* can be seen to have played an intrinsic role between the initial and more complex meanings, establishing the boundaries between what is divided. With a small shift of the oxytone the word *nomos* is a pasturage, the land apportioned for the use of livestock. The law is similar; it is that which is in habitual practice or subject to continual usage. In other words, in order for the law to hold it needs to be held habitually. In contrast to popular belief, laws are not made to be broken, for breaking laws habitually suspends their essential nature as laws. This is the *aporia* upon which the legal structure is built. For example, in Athens the ancient myths were renovated and deployed in order to establish differences between citizens and non-citizens.[28] But, naturally, these myths assumed the previous establishment of the city-state based as it was upon divine intervention—in this case the goddess Athena who

28 See Loraux (2006) 28.

engendered in an extraneous way, the first citizen who gave rise to the citizen population of Athens. The autonomy of the democracy and its citizens required the heteronomous establishment of the city and its laws in order for them to be maintained 'democratically.'

If law is supposed to be the basis for division, assumedly the fair distribution of goods and services, the fact that law in action promotes and underpins political inequality and the unequal redistribution of wealth, should alert us not only to the inefficiency of law but its termination. It is no longer 'law' as a process of equal distribution that is functioning; it is economic interests (aka wealth, capital) that exercise control.

In the archaic city and its surrounds the *horos* was found along roads, at the entrance to sacred sites and sanctuaries; generally it was to be found in public spaces. The *horos* described a boundary line not wholly representative of dimension. There is no certainty that the *horoi* were supposed to be linked between one another in order to describe a closed boundary or a fenced-off region.

> One should hardly imagine a continuous line drawn by means of numerous stones. More probably they stood at key points, at corners and where streets entered; here they would clearly say to any disqualified person, 'Thus far and no father.' [29]

The problem of the purpose of these *horoi*, how they demarcated boundaries, whether they demarcated space, becomes secondary when we ask why they were necessary in the first place. Who placed the *horos*, and whom did they mean to keep out? Further, who owned the right to describe boundaries? And, then consequently, by what law were others expelled or made the exception of the boundary?

In his study on the later fourth-century hypothecation *horoi*, Moses Finley suggests that the stones themselves, their particular use and the *terminology* that accompanied them was also particularly Athenian, tracing their appearance outside of Athens to the imperialist expansion of the mother city.

> From Athens they spread only to some of the Aegean islands, over all but one of which Athens held direct administrative control at certain

29 Thompson (1972) 118.

> periods. How systematically this use of *horoi* was extended within the Athenian sphere and whether it was imposed more or less forcibly by the Athenians are interesting problems for the history of Greek law and interstate relations.[30]

The *horos* referred to here is its fourth-century use as a marker laid upon the land to signify that the owner has hypothecated their land, placing their land as insurance for a loan.[31] It can be assumed that the Athenians attempted to export the *horos* system during this period of imperial expansion in order to vouchsafe their imperial right to properties and taxes. No doubt this was not looked upon favourably by the local populations. It is significant for the present study that this question of the enforced *horos* remains unanswered by Finley, despite his suspicions of resistance against systematic Athenian imperialism.

> There was presumably strong resistance to the *horoi*, for not all the communities influenced by Athens, not even all those which had received cleruchies, seem to have adopted the institution [...] Hypothecation of land and houses was of course universal in Greece: only the *horos*-technique of public notice remained strictly localized. Why that should have happened is, I think, not answerable today. Nor is it too important; legal security is basic, the *horoi* merely a device.[32]

Nonetheless, it does pose the question of whether it was in fact the use to which the Athenians put the *horos* that led to such resistance. It might have been the imposition of taxes, but it also might have been the notion itself of division and possession that non-Athenians found offensive. Not all societies have the same ideas about land ownership, and presumably the notion of boundaries is very culturally specific. If the *horos* was merely a 'device' presumably it would be a simple task to discover to what end it was put to use. And indeed, there are references to these boundary-stones in Greek literature and enough have been found throughout the Greek world dating to the period of the Athenian expansion which can clearly be said to perform an economic function.[33] However, that it was 'put to use' at a later stage

30 Finley (1952) 6.
31 Finley (1952), Lalonde (1991); (2006), Harris (2006) 163–241.
32 Finley (1952) 6.
33 IG. II2, 2617–2619, 2581; and Merritt (1939) 50–55 and (1940) 53–56, Shear (1939) 205–206 and (1940) 266–267.

of Athenian history does not foreclose the possibility that it meant something else beforehand.

The boundary-stones of the *agora* signified a region into which the *atimoi*, those who had committed parricide and were therefore considered 'unclean,' were not permitted to enter, and one would assume the *horoi* that marked temple lands would have performed much the same function, while the fourth century mortgage *horoi* certainly demarcated a measured plot as being subject to certain interdictions. But how sure can we be that this stone presented a prohibition? The *horos* itself has no imperative attributed to it. And yet the *horos* that marks a grave, the *horos* that marks the boundary between one county and another, not to mention the *horos* in the philosophical text that means 'definition' or 'determination,' none of these particularly suggest prohibition. The problem that adheres to the *horos* is not that of prohibiting transgression so much as it is that of marking a boundary which otherwise would not be recognised.

If it is a matter of recognising boundaries, is this not rather a problem of reading? That is, is not this boundary found *in us* because we read it as such? Rather than any friend/enemy distinction, these questions remain with the boundary as generating a point of difference between he who reads the boundary and he who fails to do so. The question that is raised and remains with the boundary, as what belongs to the *horos* is not the generation of space on either side, but the question of difference, the question of similarity. On the one hand, we have different space to either side, on the other, different people. So long as it is recognised as mutual by those who inhabit either side, the boundary-stone raises the question of space by putting place into contention and materialising what is common to either side, i.e. the boundary. The *horos* raises a topography of contraries while simultaneously bringing these contraries together and uniting them in its own material. It is the matter that puts difference into question. It is therefore not only a spatial problem that is thus raised but also a problem of authority. For we must ask to whom the boundary belongs, and, thus also, who stands to either side, divided and opposed. Is this relation necessarily antagonistic? And then, consequently, who, if anyone, is expelled or made the exception of the boundary?

Let us proceed (for caution's sake) to one of the earliest literary references to the *horos*. The scene is no-man's land, on the battlefield. And this setting should come as no surprise given that the entire epic of

the *Iliad* is set on the plain outside the walls of Troy, where the Danaans (Achaeans or Greeks) have pitched their camp and are engaged in the ten-year war with the Trojans (the armies themselves are composed of a multitude of different peoples with no common name to determine them). Here we see the Lycian contingent:

> οὔτε γὰρ ἴφθιμοι Λύκιοι Δαναῶν ἐδύναντο
> τεῖχος ῥηξάμενοι θέσθαι παρὰ νηυσὶ κέλευθον,
> οὔτέ ποτ᾽ αἰχμηταὶ Δαναοὶ Λυκίους ἐδύναντο
> τείχεος ἂψ ὤσασθαι, ἐπεὶ τὰ πρῶτα πέλασθεν.
> ἀλλ᾽ ὥς τ᾽ ἀμφ᾽ οὔροισι δύ᾽ ἀνέρε δηριάασθον
> μέτρ᾽ ἐν χερσὶν ἔχοντες ἐπιξύνῳ ἐν ἀρούρῃ,
> ὥ τ᾽ ὀλίγῳ ἐνὶ χώρῳ ἐρίζητον περὶ ἴσης,
> ὣς ἄρα τοὺς διέεργον ἐπάλξιες·
>
> For neither could the mighty Lycians break the wall of the Danaans, and make a path to the ships, nor ever could the Danaan spearmen thrust back the Lycians from the wall, when once they had drawn near it. But as two men with measuring-rods in hand contend about the landmarks [*horoi*] in a common field, and in a narrow space contend each for his equal share, so did the battlements hold these foes apart.[34]

The *horoi* (here in the plural epic form- οὔροισι) present us with a simile for the wall of Troy. Just as the latter stands as the point of division and struggle (the Greeks want it to fall; the Trojans need it to stand firm), so the former is a point of contention. And yet, these *horoi* stand in a common field, and the arms at the men's disposal are measuring-rods, and their quarrel concerns equality in division. In the classical *polis* there was still something of a common-field system, even if these fields had come into the possession and disposal of the state. There were also lands that were attached to certain sanctuaries that may have been at the disposal of citizens (one would hope the less fortunate as well). One would presume that the small space in contention is the proposed site of each man's common agricultural efforts, a limited area of soil that he could work, sow and reap the benefits of for private use.

Other references to the *horos* in the Homeric epics also introduce this theme of measure and contention, whether it is an athlete's sprint surpassing another's that is the same as the length of furrows

34 Hom.*Il*.12.417–426. tr. A.T. Murray.

ploughed by a pair of mules (ἀλλ᾽ ὅτε δή ῥ᾽ ἀπέην ὅσσόν τ᾽ ἐπὶ οὖρα πέλονται/ἡμιόνων) or the distance of a discus-throw exceeding another (ὅσσα δὲ δίσκου οὖρα κατωμαδίοιο πέλονται). What is consistent is, on the one hand the sense of proportion (ὅσσόν) which is generated, and on the other the *horos* as a simile for the comparative and combative deeds of men.[35] Although they refer to a struggle, all these similes intervene to describe a distance that is traced in shared, communal activities. Is this a mere literary device? Granted that the *horos* takes place in the text, despite its epic proportions, it appears as a reference to what is common beyond the text, the familiar and daily activities of life, with the implication that the measure of men in war is peace. And yet there is more to this than platitude since what the simile of the *horos* describes is a state of (peace-time) contention that is not one of aversion or hostility. There may be dissent or difference between the two athletes, but this is within measure. Not that they compromise, for the whole point of the simile is that of contention, but in the common field and in contrast to the battlefield they retain a (friendly) relation. The *horos* remains without place, the position of contention without, however, becoming a place. The measure that is described is in the midst of an opposition, describing a relation, and yet it does not facilitate mediation.

As it stands (the *horos*), the men remain united in their difference and, what is most important, regardless of their respective measurements, since it was not only the distance, shares of land between or claimed by each man that was the subject of the proportion, but the comparison between war and peace-time collaboration. Given that this simile occurs in epic poetry that was itself an intrinsic component of a youth's education, sung at feasts and in the competitive setting of rhapsodic festivals, it could be said that the measure of men was metric, that is, subject to a standard of measurement and division. And a standard and system of measurement and division is essential both for poetic metre and for the distribution of land and goods. Whether goods are subject to equal division or belligerent measures of seizure and rape, the yardstick stands witness to any disproportion. The *horos* reveals itself as a medial point but not necessarily a point of mediation. In these examples at least, it is a point of argumentative dissent.

35 Hom. *Il*.10, 351; 23.431, *Od*. 8.25.

This reflects upon the Athenian disposition toward the middle, towards being the middle of things, *in medias res*, and being 'the measure of all things.' The rise of the *agora* also meant the institution of a system of weights and measures, creating a system of values for the purpose of measuring disparate things in an equal way and determining a comparative value of equivalence. When Protagoras arrived in Athens in the fifth century BC, the *agora* was already a place of economic exchange and was probably already the place of disputation frequented by the Socrates. Protagoras's philosophy of the divisive fit right in. His treatise *The Art of Eristics* used wrestling as a rhetorical metaphor for the conflict between two arguments and expounded upon different argumentative techniques.[36] His philosophy has the human being acting and speaking about the value of things.

> Πάντων χρημάτων μέτρον ἄνθρωπον εἶναι, τῶν μὲν ὄντων, ὡς ἔστι, τῶν δὲ μὴ ὄντων, ὡς οὐκ ἔστιν.[37]
>
> Of all things the measure is the human: of things that are, that they are, and of things that are not, that they are not.

While it may have been something like an advertisement for his teaching, this phrase has a word that would subsequently become one of the most powerful words in the Greek language, *chrēmata*, 'money.' Although the 'things' of which the human is the measure may be of significance or not, the 'things' themselves are judged according to their use-value. This is what *chrēmata* means, 'property,' 'substance,' 'matter' or 'money.' The word signifies a relation with things that are already in existence in the economic life of the city. According to Plato one of Protagoras's aims in teaching was good economy.

> τὸ δὲ μάθημά ἐστιν εὐβουλία περὶ τῶν οἰκείων, ὅπως ἂν ἄριστα τὴν αὑτοῦ οἰκίαν διοικοῖ, καὶ περὶ τῶν τῆς πόλεως, ὅπως τὰ τῆς πόλεως δυνατώτατος ἂν εἴη καὶ πράττειν καὶ λέγειν.[38]
>
> This lesson is about good judgement in household matters, such as how to best manage one's household, and about matters of the city, such as to be most capable of acting and speaking about the matters of the city.

36 DK 520.1.
37 DK 518.27.
38 Pl.*Prot*. 318e–319a.

What we can see is that these ideas of division, argumentation and of taking sides may have been framed as comprising political thought; however, they form a network of analogies within different fields of study. These codes, influencing the gymnastic, martial and rhetorical arts as well as political, legal and economic thought and philosophical language, originated in ideas of separation and division. The space of knowledge in the ancient city was organised around the separating factor as a principle common to all fields. This principle (*horos*) existed in what Foucault phrased the 'positive unconscious' of the Athenians as a material guide or rule used to define the various objects of action and speech in the *polis*.[39]

In his *History of the Peloponnesian Wars*, Thucydides quotes a speech rallying for war,

> καὶ γνῶναι ὅτι τοῖς μὲν ἄλλοις οἱ πλησιόχωροι περὶ γῆς ὅρων τὰς μάχας ποιοῦνται, ἡμῖν δὲ ἐς πᾶσαν, ἢν νικηθῶμεν, εἷς ὅρος οὐκ ἀντίλεκτος παγήσεται.[40]
>
> know also that other tribes are constantly at war with their nearest neighbours over the boundaries of the land (*gēs horōn*), while if we win one battle, a single horos (*eis horos*) will be fixed once and for all.

Now it goes without saying that when two armies stand face to face there is a presupposed boundary of contention between them, a boundary which has been brought into question by the fact of war. So long as the war rages, a boundary remains. But the problem here is exactly where this boundary is located about which both sides are in disagreement. The location itself is at once the site of conflict and *in conflict*. In every sense it is over this very boundary that war is waged. But here we can understand the point of contention also as a unifier, where, in the words of Heidegger,

> strife is not a rift, as a mere cleft is ripped open; rather, it is the intimacy with which opponents belong to each other. [41]

However, there is a significant difference between peacetime contention on the one hand and war (*polemos*) and civil war (*stasis*) on the other.

39 Foucault (2008) xi.
40 Thuc.4.92.4.
41 Heidegger (2000) 188.

With war even though the boundary is in contention, it does not cease to be present as that which divides the hosts and unites them in hostility.[42] In *stasis*, however, there is not necessarily a distinct boundary that has been transgressed; there is no physical boundary (*horos*) within a singular community that divides it in two.

Stasis derives its meaning from the word 'to stand,' and we should understand this word in the same way as the Greeks, as the point when a community ceases its usual motion, comes to a standstill, comes up against a wall.[43] *Stasis* itself fulfils the function of division wherever it arises; however, this division is not linked to a particular place. It could be said to be the ethical experience of division. Vardoulakis states that 'the temporality of stasis in relation to the theologico-political is intimately linked to the impossibility of fixing stasis to a particular locus.'[44] *Stasis* is a creation of the community, within the community, that simultaneously calls into question the very character and unity of the community as such, so that, given its multivalence, 'stasis has the capacity to disturb the mutual support of presence and absence.'[45] Unlike the *horos*, the division in *stasis* has no immediate relation to a position, or the sacred; it is a political event even when it breaks in as an exception of political authority.

> If the law employs the exception—that is the suspension of law itself—as its original means of referring to and encompassing life, then a theory of the state of exception is the preliminary condition for any definition of the relation that binds and, at the same time, abandons the living being to law.[46]

The law that citizens had to choose sides in *stasis* meant that no fence-sitting was permitted in the democracy. The ideological formation that there are only and essentially two sides can be said to originate here, the basis of the idea that democracy means two-party politics. The contemporary enforcement of this law, for example, in Australia where fines are issued to those who refuse to vote, where the outcome

42 Plato, *Rep*.470b.
43 On stasis and Solon see Chapter Seven. For a full study of the concept of stasis in ancient Athens, see Loraux (2006).
44 Vardoulakis (2009)142.
45 Ibid. 127.
46 Agamben (2005) 1.

is foreclosed to be in favour of one of only two parties, maintains the idea that law is the mediator between citizens and state, having the right to intervene and enforce political engagement in one or the other way. Here the law is presented as the mythical, neutral ground, mediator and redistributor of goods, money and justice. But there's no such thing as a true middle in political economics or a neutral capitalist state (even neutral Switzerland engages in exporting banking systems to war-ravaged countries). Neutrality, or the disengaged middle, is nothing but a front for the establishment of economic interests that is none other than a coup d'état, a usurpation of control by a single faction. It can be argued that any representative democratic party in power, with less than fifty percent of the vote, is a usurpation of power under the auspices of the law.

Nonetheless, Vardoulakis reminds us that what appears to be an exception to politics is simultaneously the ground for a new political relation, but a ground that provides neither a foundation nor a sovereign. The non-state of civil war issues in the possibility for an ethical and political relation, thus a 'responsible politics is above all a politics that eschews the violent act of separation instituting the sovereign. Stasis solicits a politics of friendship.'[47] Here we can understand the point of contention also as a unifier. In the words of Heidegger, 'strife is not a rift,' rather it 'carries the opponents into the provenance of their unity by virtue of their common ground.'[48]

The German word for 'rift,' *Riß*, does not merely describe a crack or laceration; etymologically it is connected to the verb *reissen*, cognate with the English 'writing'; 'it is a basic design (*Grundriß*), an outline sketch (*Auf-riß*), that draws the basic features of the upsurgence into the clearing of beings.'[49] What is here *written* is the 'work,' something that is differentiated from its surrounding environment as 'figure' (*Gestalt*). And it is such because we allow it to become, or even, be *read* as something that has been sectioned off and fixed in place. Hence, 'this rift does not let the opponents break apart; it brings what opposes measure (*Maß*) and boundary (*Grenze*) into its common outline (*den einigen Umriß*).'[50] It

47 Vardoulakis (2010) 155.
48 Heidegger (2000) 188.
49 Ibid.
50 Ibid.

is in this sense that Heidegger uses the word strife to produce the work; it is a point of difference that marks out the boundaries between earth and world, in other words something like 'nature' and 'human activity.'

> Yet as a world opens itself the earth comes to tower. It stands forth as that which bears all, as that which is sheltered in its own law and always wrapped in itself. World demands its decisiveness and its measure and lets beings attain to the open region of their paths. Earth, bearing and jutting, endeavours to keep itself closed and to entrust everything to its law.[51]

World is experienced as something more than the material basis of the earth; it is where activity, work, significance and values, measures and divisions create an interpretation of living in the midst of 'nature,' here foreign in the sense of a foreign language, not understandable, despite our embedded origins. From this point on the earth exists as a value in the world of the human being. For Heidegger this seems to be the beginning of the cultural project and the wonder of the artwork.

And yet there is an uncanny resemblance with the *horos*, at least in terminology. The work does not cease to be composed of earth, in exactly the same way that the *horos*, whether engraved or not, does not cease to be stone: 'The rift must set itself back into the gravity of stone, the hardness of wood, the dark glow of colours.'[52] Although it resembles it, the *horos* is not quite akin to Heidegger's figure because it is not necessarily dependent upon a single authority, or author. It is not wholly placed or framed by us. Its position is already there, in its stoniness, and is only read by us as meaning bearing. Nor is it supposed to provide a definition to a question or a riddle. The *horos* never takes form beyond the possible coincidence between stone, letter and all those other meanings and matters. It is not a work as such, though that does not mean it is not read as something that works. It is exactly there where the artifice of script begins, but is itself not artificial. The word and boundary are never abstracted from stone, and it also never ceases to be mere stone. The divisive power of the *horos* is distinctly present as matter: the writing of division, the letter of the law. The *horos* does not cease to belong to the earth, standing as a rule that the human also

51 Ibid.
52 Ibid.

belongs in the nonhuman but also that there is a self-authorised break. Otherwise, there would be no distinction between whoever reads the *horos* as boundary and the rest of the world that does not.

How can the law be followed to the letter when the stone marks the impossibility of ever following the path without bringing the letter along with us? The stone is this *diaporia*; it marks the *aporia* and allows law and *logos* to transgress it but only in the form of the letter. Thus, the law, which would prohibit in order to foil transgression, is from the first naming of the stone always put into question by occupation of the letter, simultaneously composed of letters and destroyed by them. Because the *horos* is the base material upon which the letter is formed and the base material that gives form to letters, this convergence of form and matter provides the foundation and schema for the law, even as it undermines it. The *horos*, the boundary-stone, is the link, bond or knot in this aporetic structure, without which the law is illiterate and illegible. The stone, whether inscribed or not, marks a departure from the time before when the inscription was not subject to law, when what was engraved was without form and pointed nowhere. The *horos* might not precede the sacred, and yet it remains as the thin line that gives definition to either side, and describes an opposition between these spaces, which are not to be confused with *topoi*, topical places or places with a particular character localised in speech if not geographically (for example Aristotle's treatise *Topika* is the method of drawing conclusions from opinions).[53] But that does not stop the *horos* from remaining the position of unity, leaking opposition into division, before the *logos* intervened to show the way and to bar it.

Horos Zeus

Against a politics of walls and barriers, we can redefine the terms, raising the question once again to ask in what relation the *horos* stands with law, its transgression and its exception. In the *Laws*, Plato states that the prohibition against removing boundary-stones is the first law of Zeus, punishable twice over, first according to the justice of the gods, then by the laws of man.

53 Ar. *Top*. 100b21.

> Διὸς ὁρίου μὲν πρῶτος νόμος ὅδε εἰρήσθω· μὴ κινείτω γῆς ὅρια μηδεὶς μήτε οἰκείου πολίτου γείτονος, μήτε ὁμοτέρμονος ἐπ᾽ ἐσχατιᾶς κεκτημένος ἄλλῳ ξένῳ γειτονῶν, νομίσας τὸ τἀκίνητα κινεῖν ἀληθῶς τοῦτο εἶναι· βουλέσθω δὲ πᾶς πέτρον ἐπιχειρῆσαι κινεῖν τὸν μέγιστον ἄλλον πλὴν ὅρον μᾶλλον ἢ σμικρὸν λίθον ὁρίζοντα φιλίαν τε καὶ ἔχθραν ἔνορκον παρὰ θεῶν. τοῦ μὲν γὰρ ὁμόφυλος Ζεὺς μάρτυς, τοῦ δὲ ξένιος, οἳ μετὰ πολέμων τῶν ἐχθίστων ἐγείρονται. καὶ ὁ μὲν πεισθεὶς τῷ νόμῳ ἀναίσθητος τῶν ἀπ᾽ αὐτοῦ κακῶν γίγνοιτ᾽ ἄν, καταφρονήσας δὲ διτταῖς δίκαις ἔνοχος ἔστω, μιᾷ μὲν παρὰ θεῶν καὶ πρώτῃ, δευτέρᾳ δὲ ὑπὸ νόμου.[54]
>
> The first law, that of *Horos* Zeus shall be stated thus: Do not move earth's *horoi*, whether they be those of a neighbour who is a native citizen or those of a stranger (with adjoining land on a frontier), recognising that this is truly to move the immoveable; better to let someone try to move the largest rock which is not a *horos* than a small stone which marks the boundary between friendly and hostile ground under the oath of the gods. For of the one Kinship Zeus is witness, of the other Stranger Zeus; who, when aroused, brings wars most hostile. He that obeys the law shall not suffer the evils that it inflicts; but he who despises it shall be liable to a twofold justice, first and foremost from the gods, and second from the law.

Could it be assumed that every *horos* is the mark of the omnipresence of this Zeus of the *horos*? On the outskirts of Athens, there was a temple to an unknown Zeus marked by a *horos* of this name, dated amongst the oldest of the Athenian *horoi*, bearing the rupestral inscription ΗΟΡΟΣ: ΔΙΟΣ [retrograde] (*horos of Zeus*). As one epigraphical study suggests,

> this 'Horos of Zeus' is a type of abbreviated marker of shrines, in which the word ἱεροῦ or τεμένους [shrine or sanctuary] is either understood as part of the meaning of ὅρος, and a byname of the god was perhaps assumed as known.[55]

The implication is that the *horos*, by marking the site, consecrates it and is coterminous with the sacred quality of the place it identifies. If we take this to apply to all *horoi*, we could assume that for any boundary-stone to be recognised the reading of boundaries as such must be the guiding thread at once joining and distinguishing the sacred from the profane; it need not be accompanied by a prohibition as it already stands in order that the sacred remain inviolate. Therefore, as Plato informs us, the

54 Pl. *Laws*. 843A-B.
55 Lalonde, (2006) 6.

first law must be the prohibition against the removal of the boundary-stone, and he who is guilty of moving *horoi* is guilty of attempting to remove the very stones that draw up the outlines of power, that define the boundaries (and here we see the verbal form of the *horos* in action, ὁρίζοντα) sanctioned 'in oath by the gods' (ἔνορκον παρὰ θεῶν). And not only this, for the removal of the stone is also a trespass on logic, 'to move the immoveable' (τὸ τἀκίνητα κινεῖν).

The single stone protected by *Horos Zeus* comprises the internal confrontation or conjunction between two other epithets of Zeus named by Plato: Zeus of kinship, ὁμόφυλος Ζεὺς, and Zeus of strangers, ξένιος. The relational distinction between kin and stranger is 'hospitality,' *philoxenia*, the concrete relation barring friend from enemy (φιλίαν τε καὶ ἔχθραν). The relation of enmity is proscribed by the transgression of the boundary in friendship. It is essential to note that neither the stone nor this first law prohibits the transgression of the boundary. The intention is not the prohibition of people passing from one side to the other, but rather it has to do exclusively with the material of the boundary itself, with the boundary as marker. It is a law that does not deal with people's movements as such but with the matter of the boundary, the solidity and immovability of stone. It is not we who are prohibited from crossing the boundary, it is the boundary itself that must remain without motion, and, being put out of motion it is (according to Aristotelian physics) thus beyond nature, whether it is sacred or corroborated by law. It would be wrong to assume that this law, given its divine sanction, is therefore not a human law. It may not be inscribed on the tablets of the city, but this does not mean that it is not inscribed into human relations by human acts. The law of *horos* Zeus is, properly, topographical, but without actually being topical. It is written into the land as the first law of the land, the first law that protects the laws of logic. It draws up the boundaries between the possible and the impossible in language, for to remove the *horos* is to move the immoveable. This law thus finds its true *topothesia* in language, in *logos*, though that does not mean the stone is invested with reason.

Of course, this interpretation coincides perfectly with the archaeological history of the *horos*, which states that a *horos* is differentiated from other stones only insofar as it is read as such. The *horos* is the stone that is distinguished from the 'natural' stone according to archaeology because, to begin, with it is inscribed with the word.

The question, therefore, of the law is not here a question of authority or authenticity—of who wrote the law, in whose power the law resides. The question that must precede any question of writing is deflected by the question that the stone itself raises, which is: Who reads the *horos*? Who recognises the boundary? The difference that is thus generated by the *horos* is between those who read the *horos* as *horos* and those who fail to do so. This division takes place as the basis for the laws of the land, which subsequently belong to whoever has the capacity to distinguish them.

The difference the *horos* is said to mark is that between kin and stranger. This difference is that of hospitality itself, *xenia*, which should describe the relation one has with strangers. The word for the 'stranger,' *xenos*, is threefold; it also means 'guest' and includes the obligatory meaning to play 'host,' also *xenos.* Kinship Zeus must be presumed to protect relations within the clan, community, family, tribal group; that is always on this side of the boundary. *Xenios* Zeus stands guard over the relations between here and there, that is, between strangers; there, where, at least linguistically, we cannot be told apart except as what defines us in common. We are, both of us strangers to one another. Our identity is the reduplication of the signifier 'stranger' (*xenos*/*xenos*) with a boundary in between that transforms this relation into one of friendship, causing the double modification to alter to 'friend' (*philos*/*philos*). This transformative relation is called '*philoxenia*,' imperfectly translated as 'hospitality' (because *hospis* in your house still remains a hosted enemy, lacking the final metamorphosis into friend). But there is a boundary that nonetheless separates us and offers us the possibility of transgressing over into difference, of welcoming one another and introducing ourselves as something more than strangers, of learning the other's name, and also giving ourselves a name and family relation that extends beyond us. This boundary is the possibility of *xenia*, of the hospitable relation. The stone demands what the text prohibits, at least in regards to *crossing over*, or the maintenance of friendly relations. But, then, this can occur only if we both recognise the presence of a boundary that makes us both strangers, one to the other.

Therefore, the *horos* gives onto, and gives only, onto hospitality, to the possibility of two different people, two different spaces sharing something in common, even if this is none other than the boundary

itself that divides them. It suggests a bond to those who transgress it in friendship, whether they belong to the same tribe or are bound in a relation of hospitality with that tribe. But it exactly ceases to be (read as) a boundary the minute that it is crossed in enmity because in that case the aggressor simply does not, or refuses to, recognise it as such by not making the appropriate transformation into 'friend.' Thus, the *horos* raises the possibility of hospitality and puts hostility out of the question. But this is because the hospitality itself already raises the possibility of hostility. In the words of Plato, the *horos* draws up the boundary (and he uses the participle of the verb, *horizon*) between friendship and enmity. This is no archaic Schmittian parallel maintaining a distinction of estrangement between friend and enemy.[56] On the contrary, since the *horos* binds these two epithets, it singularly permits, or rather demands, a relation that as such both makes possible and proscribes enmity. Hostility is only possible under the protectorate of *xenios Zeus*, as the potentiality of hospitality failed or perverted. Hospitality and hostility are not contrary; the latter is, rather, dependent upon the former as an inherent possibility. If hostility was not experienced as a possibility, hospitality ceases to be something freely given. This is the definition (*horos*) or horizon of hospitality.

Is this horizon experienced as a limitation? It is certainly a limit, just as the *horos* itself can be translated as 'limit,' but perhaps a limit that does not act as a restriction as such. And we must not fail to note the etymological link between the *horizon* and the *horos*, as if the nominal *horos* was put into action in the spectral limits of our world. Without this limit (*horos*), a term that must be read even though it provides no terms as such, hospitality retains the possibility of offering itself as hostility. But the *horos* is also the limit that asserts that hospitality must remain hospitality. Without such a limit, in the absence of some kind of term or boundary, hospitality is groundless. Here we could say, then, that the *horos* is necessary for hospitality, opening up the possibility of transgressing boundaries, of coming to terms with confrontation, whether in friendship or enmity, before any conditions are placed upon guest or host as to whom is accepted or with what intentions the boundary is crossed. Hospitality proceeds from this limit, opening up

56 Cf. Schmitt (2007).

the horizon to further transgression and abuse. Thus, Derrida suggested that 'pure' or 'unconditional' hospitality is an *aporia*; it always contains the possibility of flipping over into its opposite, or of failing to be given.[57] And consequently a 'pure' hospitality is, as Derrida states (unconsciously calling the *horos* into presence), 'without horizon.'[58] We could say it remains always on the boundary, that thin line, because it is the limit point as such (*horos*) that is itself unlimited.

> If, however, there is pure hospitality, or a pure gift, it should consist in this opening without horizon, without horizon of expectation, an opening to the newcomer whoever that may be. It may be terrible because the newcomer may be a good person, or may be the devil: but if you exclude the possibility that the newcomer is coming to destroy your house—if you want to control this and exclude in advance this possibility—there is no hospitality. In this case, you control the borders, you have customs officers, and you have a door, a gate, a key and so on. For unconditional hospitality to take place you have to accept the risk of the other coming and destroying the place, initiating a revolution, stealing everything, or killing everyone. That is the risk of pure hospitality and pure gift, because a pure gift might be terrible too.[59]

If we read this horizon as what remains of the *horos* in the present day then we can accept Derrida's conclusion, that hospitality appears as an *aporia*, a problem that does not permit passage, literally *a-* 'without,' *-poros* 'passage..' It is a problem that must remain irresolvable because what marks the boundary is exactly the task of reading, of the mutual recognition of the boundary. Moreover, the boundary is therefore either maintained because it is held in common, or transgressed because it is disputed. But that is not the real issue, for it is easy enough for those who are linguistically affiliated to the boundary, for those who are able to read the stone, to choose in what manner they cross the boundary. But how does the boundary stand for the real stranger, the foreigner who does not, cannot, read the stone as boundary, the foreigner who is unfamiliar with the laws of the land and therefore transgresses the boundary unwillingly or without the wherewithal to act in accordance with the laws of the land, and always at risk of defying this first law?

57 Derrida (1993) 11.
58 Derrida, 'Hospitality, Justice and Responsibility: A dialogue with Jacques Derrida' in Kearney (1999) 70.
59 Ibid.

This is where 'pure' hospitality is found, exactly where the boundary comes into question, not because it is revoked or removed, but simply because it is not read as such. Hence, the *horos*, in being unperceived by the stranger, signifies something beyond its own definition, term and limit. The *horos* itself always comes in between friendship and enmity, it is itself an open definition, but nonetheless material. The *horos* always remains with the boundary as the only position to which no determinate position belongs, and it is in this absolute relation with the boundary as such that we are all of us bound as strangers. In the words of Levinas,

> When in the *Iliad* the resistance to an attack by an enemy phalanx is compared to the resistance of a rock to the waves that assail it, it is not necessarily a matter of extending to the rock, through anthropomorphism, a human behaviour, but of interpreting human resistance petromorphically.[60]

The *horos* stands as and marks out the aporetic structure of hospitality, or, better, it provides a horizon in contention, a boundary of confrontation, where the *aporia* of *philoxenia*, the problem itself is always raised and given form in pure uncontested matter. Thus *philoxenia's* 'purity' is based upon a certain materiality always on the cusp of language, and that presents itself as a risk. So long as the *horos* remains and is unmoved, this problem refuses solution, because so long as the boundary is observed there will always be those on one side, and those on the other. Then, hospitality always remains as a possibility, whether offering it or receiving it, and so does hostility. If we put hospitality into question—as something that we might not give, if we conceptualise it not as a gift but as a right that must be permitted or held back, if we refuse it to some or place conditions on how it is to be received— then we put the boundary out of question. The boundary that does not remain open ceases to be mutual; it becomes proper to one side or the other, and ceases to be a boundary as such, it becomes a barrier and the boundary as such is deferred, and by being deferred, it is subject to question. Ironically enough, then, the state that privileges entry to some and refuses it to others can be seen to undermine the very existence of its own borders.

60 Levinas (1987) 78.

We can thus offer an alternate reading of Plato's first law against the removal of the boundary-stones by suggesting that it is not the transgression of the boundaries as such, but the transgression of the hospitable relation that rouses Zeus *Xenios* to inflict wars. Hostile is he who estranges himself from the obligation to play guest-host, not only to be the generous, bountiful host, but—and this is the harder—to be a stranger, to let oneself be defined as the other of the other.[61] This indebtedness (of self) to other is inscribed upon the land, both boundary and bond that cannot be proscribed or prohibited. Rather, as the question that would put the law of the 'same' out of play, it demands transgression by virtue of a certain similarity between guest and host that nonetheless remain bound together in a common estrangement. Any relation with the stranger automatically puts one in the parallel position of stranger, and it is this universal notion of estrangement before the other that binds us all to the breaking point of the boundary of the other. For Levinas this is where what is material breaks down into the presence of the face.

> Here the sensible presence desensibilizes to let the one who only refers to himself, the identical, break through directly. As an interlocutor he posits himself in front of me, and an interlocutor alone can properly speaking posit himself in a position facing me, without this 'facing' signifying hostility or friendship.[62]

Hospitality always has the possibility of giving onto friendship and enmity, hence Derrida's neologism 'hostipitalité,' adding the host into the otherwise exclusive reception of the enemy.[63] The point is that when it comes to reading the boundary-stone, one is not at liberty to choose sides. One contingently finds oneself on one side or the other, or else one might be so strange as to not even recognise the *horos* as such. The *horos*, however, gives only onto hospitality. In this case, however, the *horos* is not itself an *aporia*. It is not a problem to be solved, or a question as such, even though it gives onto or raises problems. If it is read as boundary then it is a boundary, if it is not read as such it retreats into its identity as stone. As Plato says, to move the largest stone that is not a *horos* is just fine ('sooner let someone move the largest rock which

61 Derrida (1999) 23.
62 Levinas (1987) 42.
63 See 'Hostipitality' in, Derrida (2002) 401–402.

is not a *horos* than a small stone which marks the boundary between friendly and hostile ground').[64] The assumption is that we already know which is which.

Swearing by the Horos

Looking at the *horos* from a distance, it becomes evident how central it was to the constitution of the Athenian citizen body and to the maintenance, even reverence, of the laws of the city. After performing their military service on the boundaries of the Athenian *polis* and before returning to the city, the ephebes swore an oath (Ὅρκος ἐφήβων). In order to be assumed into the body politic, the young men took an oath to obey the laws and protect the institutions of the city. The ephebes swore the oath upon returning from a two-year period spent serving upon the margins of the city's territory, supposedly doing the double duty of defense and of learning the art of an arms-bearing citizen. As Vidal-Naquet notes, this boundary area is both an actual geographical and symbolic space, where the boys are to make the transition into civilised young men.[65] The oath is their affirmation of this transition and their acceptance of the contractual bonds of civic life. At the end of this oath, they call as witnesses an intriguing variety of gods, plants, and, of interest to us here, the *horoi.*

> Ἵστορες θεοὶ Ἄγλαυρος, Ἑστία, Ἐνυάλιος, Ἄρης και Ἀθηνᾶ Ἀρεία, Ζεύς, Θαλλώ, Αὐξώ, Ἡγεμόνη, Ἡρακλῆς, ὅροι τῆς πατρίδος, πυροί, κριθαί, ἄμπελοι, ἐλᾶαι, συκαῖ.
>
> Witnesses are the gods Aglauros, Hestia, Enyo, Enyalios, Ares and Athena Areia, Zeus, Thallo, Auxo, Hegemone, Herakles, *horoi* of the fatherland, wheat, barley, vines, olive-trees, fig-trees.[66]

One might have expected that the *horoi* appear within the oath as something that needs protecting, along with the laws, authorities, institutions and affiliations of the city that are mentioned. But here they are included in a list of gods (with more or less obvious significance for the city) and certain fruit-bearing plants (that obviously provide basic

64 Pl. *Laws*. 843A-B.
65 Vidal-Naquet (1986) 107.
66 Siewert (1977) 103.

sustenance), called upon as *Histores*, 'witnesses.' An *histor* (cognate verb ἱστορέω, 'to inquire, examine, read,' as in history) is someone who knows the law, right and justice, thus it also means 'judge.' It is interesting to consider that the *horoi* might be considered plausible witnesses in the same sense as the gods. It seems reasonable to state that the *horoi* are called upon because of their role in maintaining friendly relations, or that failing, in defending against hostile forces. But, as was seen in both the Septuagint and Plato's Laws, the *horoi* also bear a significant relation with the past, and the 'ancestors' or 'men of old' who laid the stones or the gods and law that sanctified them. They are read and may even be said to provide, if not be, a kind of earthly narrative. These stones inscribe the history of the land. The narrative line read in the *horoi* might be that of hospitality, of the relation with friends and strangers. It is important that in this context the *horoi* are not in need of protection or maintenance by law, they are as autarchic as gods and trees (this does not mean self-sufficient). What does it mean that the *horoi* be called upon as witnesses to the oath and feature among a list of other nonhuman, some divine some organic, witnesses?

Oath, *horkos*, (ὅρκος) cognate with *herkos* (ἕρκος) meaning 'fence, enclosure,' has quite a lot in common semantically (if not syntactically, again the play of a letter) with the *horos*, except that the boundary of the oath closes the circle into a defensive barrier, while the *horos* leaves this possibility open, simply dividing. The oath presents us with a linguistic boundary, where, by swearing an oath one fences oneself in and is bound to one's words. The gods were said to swear their oaths upon the Styx, the river that encircles the universe and binds the gods to their words.[67] In this case, however, one's oath is the very paradigm of the truth (and divinity) of language itself, the power of the *logos* to be made flesh, to be actualised.[68] Therefore, as Agamben argues, in oath one takes responsibility not only for one's words but also constitutes oneself as 'the living being who has language.'[69] The oath expresses

> the demand, decisive in every sense for the speaking animal, to put its nature at stake in language and to bind together in an ethical and political connection words, things, and actions. Only by this means

67 Fletcher (2012) 74ff.
68 Agamben (2011) 21.
69 Ibid. 69.

> was it possible for something like history, distinct from nature, and nevertheless, inseparably intertwined with it, to be produced.[70]

However, if these words, things, and actions had to be bound together, must they not first have been split? If the oath constitutes and ensures human nature as a speaking being and a being capable of living historically, the *horos* affirms the former split in which the human is divided from nature—and here there is no discernible difference between what would be human nature and nature absolutely. So, what we can *read* into the *horos* is exactly that split that divided human beings from (their) nature. Before this split, humans did not live historically, but fatefully. In the ancient world of Athens, this split was ascribed to the divine name of Fate, *Heimarmenē*— neither entirely god, nor entirely nature, this 'divine word' (λόγος θεῖος) as Plutarch refers to it, takes its root from the verb μείρομαι, 'to divide out, allot, assign' and is the principle of division:

> ἡ εἱμαρμένη δῖχως καὶ λέγεται καὶ νοεῖται· ἡ μὲν γάρ ἐστιν ἐνέργεια, ἡ δ᾽οὐσία.[71]
>
> Heimarmenē is said and thought in two ways: on the one hand as activity, on the other as substance.

She is divided (*dichōs*) between speech and thought but is also the singularity of fate; she is 'a law conforming to the nature of the universe, determining the course of everything that comes to pass' and 'the linking of future events to events past and present.'[72] Human fate is thus split between speech and thought, between what is said and what is done, between what is undertaken and what is. Does oath step into this division as an attempt to resolve it into a pure identity between speech, thought, act and being? It is this will to assert a unity that cannot help but point back to division. The oath is less about the risk of perjury than it is a declaration that this split belongs to the human, as if we are the subjects of this division and can in a single 'act' overcome our own nature. But the oath also gestures towards the possibility of lying. By asserting a correlation between language and truth it generates the very distinction between human and nature.

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70 Ibid.
71 *On Fate*, Plut. *Mor*.568c-e.
72 Ibid. Also, Pl.*Phd*.115a, *Grg*.512e.

Can nature lie? For perhaps the majority of plants and animals, pretence would appear to be second nature, predisposed as they are to mimic the world around them or to mislead, trick or deceive their predator by pretending to be something they are not. Pretty much the entire insect world engages in some form of pretence, confusing their physiognomy or disguising themselves as leaves, bark, rocks even a different species of insect. Human beings, however, are not content with dissembling nature; they also claim to have exclusive mastery of truth. Perhaps lying can only exist in such a framework as this. Lying is not dissembling or deceiving for the purpose of self-defense or the defense of one's young. Lying occurs when someone speaks in opposition to a known truth. That said, that this is exclusively human is dubious. There are monkeys (for example, spider monkeys, brown capuchins and long-tailed macaques) who, upon finding a food source make the call that warns other monkeys in the area about the presence of a large predator, but they do this in the absence of said predator and purely for the purpose of hoarding the food themselves. A human being who lies rarely, if ever, does so for more noble causes.

If anything, lying resembles the oath in that they both have the potentiality to be entirely performative. Agamben suggests that the oath reveals a remnant stage in language when the connection between words and things was performative rather than denotative. This is not

> a magico-religious stage but a structure antecedent to (or contemporaneous with) the distinction between sense and denotation, which is perhaps not, as we have been accustomed to believe, an original and eternal characteristic of human language but a historical product (which, as such, has not always existed and could one day cease to exist).[73]

Foucault called this performative aspect of speech 'I swear,' 'I promise' etc, a 'veridiction,' where the subject constitutes itself as a performative speaker of the truth of their own affirmation and whose verbal act brings their own being into truth.[74]

> If one pretends to formulate a veridiction as an assertion, an oath as a denotative expression, and (as the Church began to do from the fourth century on by means of conciliar creeds) a profession of faith as dogma,

73 Agamben (2011) 55.
74 Ibid. 57.

> then the experience of speech splits, and perjury and lie irreducibly spring up. And it is in the attempt to check this split in the experience of language that law and religion are born, both of which seek to tie speech to things and to bind, by means of curses and anathemas, speaking subjects to the veritative power of their speech, to their 'oath' and to their declaration of faith[75]

The oath sworn by the ephebes before returning and immersing themselves in the city, in obeisance of the city's laws and customs, trapped them into having to make a choice: that is, they are true to their oaths and return to the city, or they are true to themselves, refuse to make the oath and are deprived of the city's protection and benefits; or they commit perjury, performing the oath while knowing full well that they will not wholly abide by the city's laws. Considering the extremely litigious character of the ancient Athenian city, the last option, perjury, was obviously frequently the easiest choice.

This 'split' in the experience of language, which gives law and religion cause to intervene into the language of its subjects, would have no more power than the subjects' power to lie if it was not bound in some way to something more tangible than the spoken word. This explains the call within the oath to the trees and vines, the gods and *horoi* to witness the speech act and to act as representation of the boons that will be withdrawn from whomsoever enacts perjury. For this reason, the deities and things called to witness are singularly Athenian; they are the things that the city and the agricultural life around the city offer to its citizen. To go through them all would be tiresome, so, briefly we have the gods that protect the city in case of war (Athena and Ares), goddess of the economy (Hestia), of fertility (Thallo), and then the cultivated seeds of wheat and barley, grapes, olives, and of course the *horoi*.[76] These could all be contrasted, and no doubt they were in the minds of the ephebes, to the fruits of the wilderness, to the chase of the hunt, the self-sufficiency required while living outside the city walls.[77] The ephebes, having spent their last two years on the border zones of the land, had experienced this life in the wild and so knew what they were about when making their final decision (presumably life in the wild was also subject to the

75 Ibid. 58.
76 Siewert (1977) 103.
77 Vidal-Naquet (1986) 117ff.

threat of being killed by these adrenaline-charged young men roaming around the countryside like wild beasts). In the oath the ephebes were presented with nothing short of an ultimatum: society, law, religion, marriage, stable gender roles, cultivated crops and animals and wine or nothing.[78]

The split is in the core of what it means to be human, our own division (from 'organic' nature) that reduplicates itself in the world around us. It is the division falling to the hand of fate that constitutes who we are. As Hegel states, this 'formative education, regarded from the side of the individual, consists in his acquiring what thus lies at hand, devouring his inorganic nature, and taking possession of it for himself.'[79] The question (*horos*) that is devoured in the beginning is thus the human separation from (organic) nature, the necessary division before we take the letter as our own and begin to read and write the law. The ephebes accept their institutionalisation whether or not their oath is spoken in truth or lie, and re-enter the city as men willing to uphold the law, regardless, again of whether they are themselves lawful. In this way the myth of the identification between the actual bounded city, its citizens and its law is maintained in form if not in fact.

The *horos* is as solid as stone, and yet the oath that gives it substance in the creed of the city relies upon an unsubstantiated belief in civic law and myth. Was it a legal bond or religious bond, written (*legere*) on the land and then rewritten (*relegere*) in the human willing to abide by the mythically condoned and supported laws of the city? Does the mythic constitution and maintenance of law require something like a plinth, something solid to mark its advent into the human imaginary? Can such a simple structure bear the burden of belief? What happens when these imaginary systems collapse and the stone ceases to need to hold them up? This is what the *horos* is today, for us. It is just a stone, though it might be placed in museums and therefore be invested at least with a little historical significance. The structures of power, from democracy and law to philosophy and economics have been re-erected and now the burden, with increasing ecological destruction and the inequality of wealth of legal rights, is all the greater. But where or what are the boundary-stones that these structures require to maintain belief in these

78 On sexual inversion and the ephebes, see Vidal-Naquet (1986) 115–117.
79 Hegel (1977) 16.

systems and keep us to our words? Perhaps the material has given us up for dead and has abstracted itself from our metaphysical debates and our supernatural presumptions.

The *horos* does not stand as a warning against transgressing our bonds, boundaries or limits; that is up to our interpretation, our ability to read the bare facts of the matter. But that does not mean that the stone does not mean something to us, or that it cannot or should not. Just as an area the size of a football field ploughed flat in the once luscious Amazon does not need to mean hubris or the insane, ecocidal drive toward destruction. Of course, it can mean that, and perhaps as the earth burns and laws are continually refined to protect the pyromaniacs who fuel the fires, brute matter will sing out all the louder, making itself heard to those willing or forced to listen.

In the biblical text we saw the necessity of an additional prohibition (writing about writing) not to pass over the boundary for harm. It is no mark of hostility that would hinder correspondence with the other side. On the contrary, it is the *horos* that proscribes the steadfastness of such distinctions as self and other by always posing (as) problems of definition or difference. Law, on the other hand draws up the outlines of possession, putting the boundary out of question (*aporia*), in antithesis to the imposition of the *horos*. Law proposes a material barrier, enforcing the signature or title deed of proprietorship by means of which 'our fathers' asserted their right to the land, cutting themselves off from relations with the other side. Law prescribes relations before the problem of relations has been posed, limiting the possibility of confronting the boundary as the very site that would raise the problem of such relations. The letter of the law capitalises upon the *horos* and continues to do so.

And while the occupying force is bound to extend its boundaries, the displaced population is likewise bound to resist, and the first objects that come to hand will be none other than stones. The throwing of stones is the best means, as Blanqui noted, at the disposal of the insurgency, not because they are effective weapons (against armed forces this is obviously not the case), but because by throwing stones the resistance throws the symbol of what has been perjured, the bond to the oath permitting the sacrament of possession and the appropriation of land, in the face of the occupier. These stones mark the very bond that has been transgressed

by the occupier every time they expand their boundaries into other territories. The bond itself is the subject of these catapults, a letter of dissent or a reminder of the necessary 'other' in every community, everywhere a technical, an actual barrier has been claimed to stand in place of a relation, whether as law, right or simple force. It is significant that it is the stone that falls into the hands of the dispossessed, right at the point when possession is at issue and a relation, of enmity or friendship, is displaced by an inequality in material force. War is only achieved when the sides have equal arms at their disposal. The stone-throw however, is directed against the unequal distribution of force. The stone only appears during people's uprisings, local insurgency and revolt while the possibility of unification is retained, the lines of battle are not yet drawn up. The point of difference in war is, unfortunately, usually an economic one; whoever has access to more advanced artillery is most likely to win.

The first law, the prohibition to move the stone that is *horos*, is swiftly followed by permission to the free use of the rest. This provides the possibility to engage in production and expansion, mining and building and limitless destruction in order to facilitate these processes. This is the condition without which colonialism and imperialism could not resolve into capital, globalisation and the indomitable march of technological expansion and development. The basis of today's institutions, both physical and nonphysical, is the matter, the bare matter upon, or with which they are built, from basalt and steel to rare earths.

But that is not to say that there are no limits. There are. The laws of nature, and the Law as such are dependent upon the notion that there is a limit (autonomous or heteronomous) out there. But what if the only limit is none other than the *horos*, that verbal and material term that raises the question of the law, that works alongside us as we talk about such limits and determinations? That is, it is a limit as much out there as in us. And the transgression of this limit is as dangerous in here as it is out there. Is the core, the very being of the human suffering because of the transgression of limits in the world, of ecological and environmental boundaries upon which human life is dependent?

In lithography the stone brings two antithetical substances into a kind of relation. It is important to note that it does not do so as a mediator, despite its apparent position in the middle. It does not effect a

compromise or a change in relations between the antagonistic water and oil. In fact, it does not do anything at all. Perhaps it is simply empathetic. And yet because of a certain affinity (not an elective affinity) when oil and water in their mutual reactions are absorbed by stone and repelled by one another, from this alchemical dance of love and hate, the outline of shape is brought into distinction. And the letter is formed. The letter in this case is simultaneously the material proof of repulsion and affinity, alienation and friendship, distance and proximity. If it resembles any word upon the printed page, taking its place within the spaces left blank between letters and punctuations, the letter is brought to its limit in *horos*.